REMARKS

Applicant respectfully traverses and requests reconsideration.

Claims 1-6, 19-21 and 26-30 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Application 2002/0194388 ("Boloker") in view of U.S. Patent No. 6,754,709 ("Gbadegesin"). The Office Action admits that Boloker does not teach, among other things, "wherein the controller determines, on a per session basis, a multi-modal proxy identifier representing the proxy address of the multi-modal session proxy server." It is alleged that Gbadegesin teaches this. Applicant respectfully disagrees and respectfully reasserts the relevant arguments included in the response to the previous Office Action. For example, Applicant disagrees that Gbadegesin teaches multi-modal communication or anything similar to multi-modal communication. It is alleged, however, that Gbadegesin teaches multi-modal communication in column 6, lines 49-57 in the Response to Arguments section under paragraph 5. This cited portion, as best understood, appears to teach two things, neither of which include multi-modal communication: (1) the proxy application and gNAT gateway may be physically located on different computers, and (2) "the API 108 would also exist in the kernel-mode [instead of in the user-mode]."

As to claim 1, for example, physically locating the proxy application and gNAT gateway on different computers does not teach anything related to multi-modal communication. The kernel-mode/user-mode distinction also fails to teach anything related to multi-modal communication, as best understood. As shown in FIGs. 9 and 10 of Gbadegesin and as described in the portion cited by the Examiner, Gbadegesin teaches that a Transparent Proxy 104 and NAT API 108 may be executed in a user-mode, as indicated by the "U" in the figures. As indicated by the "K," TCP/IP 110 and gNAT 106 exist in the kernel-mode. As is known in the art, the kernel-mode/user-mode distinction refers to whether the program operates in a privileged mode, i.e., kernel mode, or a non-

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privileged mode, i.e., user mode. (*See, e.g.*, U.S. Patent No. 7,028,056, Fig. 6; col. 2, lines 32-35; and col. 5, lines 22-35.) This kernel-mode/user-mode distinction is unrelated to multi-modal communication, which relates to "allow[ing] a user to access information, such [as] voice, data, encryption, video, audio or other information, and services such as email, weather updates, bank transactions, and news through one or more browsers." (*See, e.g.*, Spec. at p. 4) As such, Gbadegesin does not teach "a multi-modal session proxy server . . . wherein a controller determines, on a per session basis, a multi-modal proxy identifier representing the proxy address of the multi-modal session proxy server" (emphasis added) as alleged, and the claims are therefore allowable. The dependent claims add novel and nonobvious subject matter and are therefore also in condition for allowance.

As to claim 26, Applicant believes that the Examiner has overlooked claim language, and claim language cannot be overlooked or ignored in order to render a claim unpatentable. The Office Action discusses claims 1 and 26 together, but it only uses claim language directly from claim 1. Assuming that Gbadegesin does teach what is alleged for the sake of argument, this does not address "providing, on a per session basis, a multi-modal proxy identifier to a browser." (Emphasis added.) The Office Action fails to point out where this is taught, and Applicant believes that none of the cited references, alone or in combination, teach or suggest this step for a method for multi-modal communication. As such, claim 26 is allowable. The dependent claims add novel and nonobvious subject matter and are also in condition for allowance.

As to claim 19, the Examiner states, among other things, that Boloker teaches "evaluating, on a browser proxy identifier in response to receiving the multi-modal proxy identifier," citing to the "modal [*sic*] view controller (MVC) and the browser proxy ID is located in the wrapper (42a); Figures 23, and 25, pp. 0082, 0090, 0102, 0112, 0179-0186, 0207. 0252." As an initial matter, the Office Action appears to overlook the language "on a per session basis." For this reason alone, the

claim is allowable. Furthermore, however, Model-View-Controller is a framework that enables a user to interact in parallel with the same information via a multiplicity of channels, devices, and/or user interfaces, while presenting a unified, synchronized view of such information across the various channels, devices and/or user interfaces supported by the multi-modal browser. (*See, e.g.*, Boloker, par. 0002.) The cited passages do not teach, among other things, "evaluating," and they especially do not teach "evaluating, on a per session basis, a browser proxy identifier in response to receiving the multi-modal proxy identifier," as is alleged. For these reasons, among others, claim 19 is in condition for allowance. The dependent claims add novel and nonobvious subject matter and are therefore also in condition for allowance.

As an additional note, the Office Action, in reference to claim 19, states that "Boloker does not teach wherein the controller determines, on a per session basis, a multi-modal proxy identifier . . ." This language is not in claim 19, so Applicant declines to present arguments for/against language that is not in claim 19.

Also, as to claim 27, the claim has been amended to include inherent language.

Accordingly, Applicant respectfully submits that the claims are in condition for allowance and that a timely Notice of Allowance be issued in this case. The Examiner is invited to contact the below-listed attorney if the Examiner believes that a telephone conference will advance the prosecution of this application.

Respectfully submitted,

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